

MAKE GOOD AGREEMENT TEMPLATE DECISION TABLE

All water bores that have undergone a bore assessment require a Make Good Agreement, even if they are not eligible for Make Good measures. The Commission has developed this table to recommend appropriate Make Good Agreement templates that may be used based on the outcomes of a bore assessment.

OUTCOME OF BORE ASSESSMENT		DUE TO PETROLEUM & GAS ACTIVITIES	NOT DUE TO PETROLEUM AND GAS ACTIVITIES			
Bore has the capacity to provide a reasonable quantity and/or quality of water for its authorised use or purpose	> Not impaired and unlikely to become impaired due to water level decline or free gas*	Make Good Agreement: NO MAKE GOOD MEASURES	Make Good Agreement: NO MAKE GOOD MEASURES			
	> Not impaired but likely to become impaired <table border="1"> <tr> <td>Due to water level decline</td> <td rowspan="2">Make Good Agreement: MONITORING <i>Bore is monitored with triggers for future assessment and variation of Make Good Agreement</i></td> </tr> <tr> <td>Due to free gas*</td> </tr> </table>	Due to water level decline	Make Good Agreement: MONITORING <i>Bore is monitored with triggers for future assessment and variation of Make Good Agreement</i>	Due to free gas*		
Due to water level decline	Make Good Agreement: MONITORING <i>Bore is monitored with triggers for future assessment and variation of Make Good Agreement</i>					
Due to free gas*						
Bore does not have the capacity to provide a reasonable quantity and/or quality of water for its authorised use or purpose	> Impaired <table border="1"> <tr> <td>Due to water level decline</td> <td rowspan="2">Make Good Agreement: COMPENSATION OR NEW BORE(S)**</td> </tr> <tr> <td>Due to free gas*</td> </tr> </table>	Due to water level decline	Make Good Agreement: COMPENSATION OR NEW BORE(S)**	Due to free gas*		Make Good Agreement: NO MAKE GOOD MEASURES <i>Action may be taken by the bore owner to P&A*** the bore</i>
		Due to water level decline		Make Good Agreement: COMPENSATION OR NEW BORE(S)**		
Due to free gas*						
Bore has never had capacity <i>Bore has always been dry</i>	> Unlikely to become a health or safety risk due to free gas*	Make Good Agreement: NO MAKE GOOD MEASURES	Make Good Agreement: NO MAKE GOOD MEASURES			
	> Likely to become a health or safety risk due to free gas*	Make Good Agreement: NO MAKE GOOD MEASURES <i>Resource company may P&A*** the bore if the bore owner agrees</i>	Make Good Agreement: NO MAKE GOOD MEASURES <i>Action may be taken by the bore owner to P&A*** the bore</i>			
	> Bore has become a health or safety risk due to free gas*					
BORE ASSESSMENT WAS ATTEMPTED BUT COULD NOT BE UNDERTAKEN:						
Due to the bore having pre-existing damage****		>	No Make Good obligation triggered. If the damaged bore is repaired, or a <u>replacement water bore</u> is drilled, another attempt to conduct a bore assessment may be undertaken.			
Because the bore does not physically exist****		>	No Make Good obligation triggered.			

* Free gas can impair a water bore by adversely affecting the quantity or quality of water provided, causing damage to the bore infrastructure, or creating a health or safety risk.

** This does not cover other Make Good measures such as reconditioning the bore or providing an alternative water supply, which may be negotiated.

*** P&A (to 'plug and abandon' or decommission a water bore) is not a Make Good measure and it is not a requirement under the Water Act 2000. However, it may be negotiated as a special condition in the Make Good Agreement if the parties agree for the bore to be decommissioned.

**** This may provide the tenure holder a reasonable excuse **not to undertake** a bore assessment under Section 417(2) or Section 418(2)(b) of the Water Act 2000.